

Montgomery County Commissioners Meeting

March 5, 2003 ~ 6:00 p.m.

Chairman – William D. Maness “Billy”

Vice-Chairman – Dolon W. Corbett

Commissioner - Sally M. Morris

Commissioner – R.C. Bostic

Commissioner – George H. Knight, Jr.

County Manager – Lee Matthews

Clerk – Laura B. Morton

County Attorney – Russell J. Hollers

The Montgomery County Board of Commissioner's met in regular session on Wednesday, March 5, 2003 at 6:00 p.m. in the Montgomery County Commissioners' Room. All board members were present. Chairman Maness called to meeting to order and the following was heard:

Rev. Anne R. Beach of Biscoe Presbyterian Church gave the invocation.

In a motion made by Commissioner Corbett, seconded by Commissioner Knight and so the minutes from the January meetings were approved with corrections.

Public Forum

Mrs. Rhonda Jones and Wendy Bruton reappeared before the board and requested the board consider allowing beer and wine sales off-premises in the unincorporated areas of the County. They asked for a referendum giving the public a chance to vote, this will benefit both the citizens and the county's revenue. We have ten stores in the unincorporated areas of the county and eight of the stores are in support of this. This is our right as storeowners to sell beer and wine if the public sees fit to vote it in. They continued to say it is all around us.

Chairman Maness said Mr. Matthews has some information. Mr. Matthews said that there were a few questions after the last meeting that were raised. One question was if the commissioners could just vote it in just outright, it has to be done by referendum (voted in by the people). The two ways the vote can be requested are 35% of the registered voters of the county to request an election by a valid petition on this issue; or the Commissioners can by Resolution request the Board of Elections hold the election.

Mr. Matthews said he checked with the Board of Elections and there are 15,585 registered voters in the county (35% of that number is 5,455, which is the number of signatures required to place this on the ballot.) Mr. Matthews said this includes everyone in the county, cities included. These are the two ways the commissioners can do it.

Chairman Maness said the board can place it on the ballot or get a petition of 35% of the registered voters.

Commissioner Bostic asked Chairman Maness if the board is going to act on this now. Chairman Maness said we can.

Commissioner Bostic made a motion that the board will request that this be put as a referendum at the next election. The motion was seconded by Commissioner Knight.

Commissioner Morris said she checked some figures and there has only been one time in the county when it has been put on the election by the Commissioners and that was the Town of Biscoe in 1969 to get the liquor store. Mrs. Morris said all the other times that there has been any kind of beer and wine vote it has been by petition of registered voters.

Chairman Maness said he feels the same way. He appreciates people out in the county to get out and work hard for something they think they need. Mr. Maness said he feels they need to go out and get a petition, and if they can get 5,000 names on the petition, it probably will very easily be voted in.

Commissioner Corbett said it is really an unfair situation for these ten stores if they choose to sell beer and wine because most of the city stores have it and so many of our people drive to Albemarle and Richmond County and we are not taking advantage of the tax revenue that is there and we are begging for more businesses in Montgomery County and all these folks are going to go broke if we don't do something about it. We are talking out of both ends of our mouth. Yes, we want more business, but we are not giving these folks an opportunity to compete with the rest of the county.

Commissioner Knight said a petition would be fine, but the citizens of the county will have to vote in the long run, and he feels there is no need to go through with getting the petition when the commissioners could have it put on the ballot and have the citizens of the county decide at the poll. Why make things hard when we don't have to? We are talking about helping our businesses in the county. We have been told this is where our employment is going to come from is the small businesses. Mr. Knight said he doesn't think we need to make things any harder than necessary.

Chairman Maness said by him saying to go to a petition, he is not trying to make it any harder than necessary. Mr. Maness said what I am saying this needs to be a sale to all the citizens of Montgomery County and we have a group together that is trying to make that sale. He said it is like the fire tax over at Lake Tillery, they got out and worked hard and the fire tax passed. Chairman Maness said part of going out and working hard and talking to people and getting these petitions signed you know where people stand when it comes time to vote. You need to speak with them and talk to them anyway. They need to understand what is going on. Mr. Maness said as far as trying to make it hard on somebody, that was not my intent.

Commissioner Morris said that was not her intent either. If you get approximately 6000 signatures, you know at least that many will vote for it.

Chairman Maness asked for any further comments from the board. There were none.

The motion carried with a 3-2 vote in favor of the board requesting that this issue be put as a referendum at the next election. (Voting in favor: Commissioner Bostic, Commissioner Corbett, and Commissioner Knight – Voting against: Chairman Maness and Commissioner Morris).

Recess the Regular Session and Go Into a Public Hearing

In a motion made by Commissioner Corbett, seconded by Commissioner Bostic, and so the motion carried unanimously to recess the regular session and call to order a Public Hearing for the Community Development Block Grant Close-Out.

Community Development Block Grant Close-Out Public Hearing.

Grants Administrator Mary Beck with Hobbs Upchurch and Associates was present and explained the purpose of this public hearing is to close out the 2000 Infrastructure CDBG project for Maske and McKinnon Road. There were problems with wells on these roads and the project enabled county water lines to be run down these roads.

No one spoke in the public hearing.

Commissioner Bostic asked Mrs. Beck if there is any money left from that project? Mrs. Beck said yes. She said we looked at two other areas with Tim Carpenter and both of those areas were too high income. This has to benefit low income and those that are retired. Mr. Bostic asked if those funds can be used for water projects: Mrs. Beck said we have to close this one out by March 18. Commissioner Bostic asked what proximity of these funds has to be used with Maske and McKinnon Roads. Mrs. Beck said when we write grant applications, we have to have a map and show how it will be used. She said any time there is money left over they have to do an amendment and ask the state to allow us to use the money somewhere else. Mrs. Beck said we tried that last time when we had our last grant to try to go ahead and put water on Maske Road, but because of budget shortfalls, the State asked for most of the money back.

Mrs. Beck said after those two additional areas did not qualify, we decided it would be best to turn the money back in and when we find another area of need we will apply for money just for that area.

County Manager Lee Matthews asked how much was left over? Mrs. Beck said over \$100,000. Commissioner Bostic asked couldn't we use this for some water lines we are coming up short on. Mrs. Beck said it has to benefit a targeted area. Mr. Bostic said that is what he is saying a low-wealth area.

Commissioner Bostic said we need to work real close with her Lee and see what we can do. Mr. Matthews said we will work with her.

Mrs. Beck said we have to turn this money in by March 18, but if we have some more areas, let's take a look at those and apply for grants. She said you can apply every year for infrastructure loans. Commissioner Bostic said let's see what we can do.

Chairman Maness said we were just talking about trying to get loans/grants.

Mrs. Beck asked that when the board recesses and goes back into regular session that you would vote to close the project out.

Commissioner Bostic asked if we close this out would this keep us from keeping the \$100,000? Mrs. Beck said we probably couldn't use that \$100,000. Mr. Bostic asked can't we wait closer to March 18 to turn it back in? Commissioner Corbett said we have a meeting on the 18th. Chairman Maness said what the board is asking is instead of turning this \$100,000 back in can't we use it somewhere else. Mrs. Beck said we would have to do an amendment, and we wouldn't have time to get that complete before the 18th. Mr. Matthews said we did look at other areas but they did not qualify (income wise), we did not want to turn in the money either. Commissioner Bostic asked about the roads on the current project, can't we use the money for that? Mr. Matthews said what we can do there is go ahead and apply for some new CDBG money. Mr. Bostic said when that money gets back to Raleigh, we may never see it again. Mrs. Beck explained the process including an income survey and testing wells. She continued to say that two wells on this current project had E-Coli and she feels that is why we received the grant.

Commissioner Corbett said don't we already have this information on file? Mrs. Beck said we wouldn't have the income housing survey because you have to go house-to-house, door-to-door for that. Mr. Matthews said the Health Department may have some of that information on file, but he doesn't know if it is on the area or not. Mrs. Beck said that in this current project it helped that houses were sharing wells, which helped from the State standpoint. Chairman Maness asked Mrs. Beck if there is ever any money left-over, please let the commission know ahead of time and I am sure we can find a place to spend it. Mrs. Beck said I have been trying to spend it. Commissioner Bostic said we should have known about it, because we can find somewhere to spend this money.

In a motion made by Commissioner Corbett, seconded by Commissioner Knight and so the motion carried unanimously to close the public hearing and reconvene the regular session.

CDBG Close-Out (An amendment was made on April 10, 2003 to add this vote to these minutes)

In a motion made by Commissioner Bostic, seconded by Commissioner Corbett, and so the motion carried unanimously to close out the Community Development Block Grant with the stipulation that we try to find somewhere to spend the money before the March 18.

Planning Board Report

County Building Inspector Phil Henley was present to present the Planning Board Report.

In a motion made by Commissioner Corbett, seconded by Commissioner Morris, and so the motion carried unanimously to approve the special exemption/variance request for Mark Trollinger.

Approval of Tax Releases

In a motion made by Commissioner Morris, seconded by Commissioner Corbett and so the motion to approve the tax releases carried unanimously.

Board of Health Appointment

In a motion made by Commissioner Bostic, seconded by Commissioner Knight and so the motion carried unanimously to approve the reappointment of Dr. Johnny McKinnon to the Board of Health.

Amendment to the Personnel Policy – Reference Mileage Reimbursement

In a motion made by Commissioner Corbett, seconded by Commissioner Morris, and so the motion carried unanimously to approve the following amendment to the personnel policy:

Current Personnel Policy Reads As Follows:

Mileage is reimbursable when a county employee is required to use his/her own vehicle on county business. The current rate of reimbursement is 36 cents per mile. Mileage is reimbursed from the employee's duty station or the employee's home to the destination, whichever is the **lesser** mileage. Mileage will be paid for the shortest usually traveled route.

Amendment Reads as follows:

Mileage is reimbursable when a county employee is required to use his/her own vehicle on county business. The rate of reimbursement is the same rate currently in effect by the IRS. Mileage is reimbursed from the employee's duty station or the employee's home to the destination, whichever is the **lesser** mileage. Mileage will be paid for the shortest usually traveled route.

Commissioner Knight asked when the new mileage reimbursement rate went into effect? Mr. Matthews said February 18, 2003.

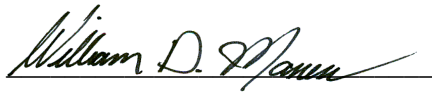
Budget Revisions

In a motion made by Commissioner Corbett, seconded by Commissioner Knight and so the motion carried unanimously to approve the budget revisions/amendments included in the packet. These revisions/amendments are for the Administration Department. *These are filed in the clerk's office.*

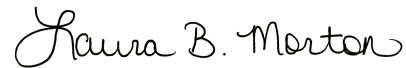
Items Carried Forward from the Work Session

In a motion made by Commissioner Morris, seconded by Commissioner Corbett and so the motion carried unanimously to approve the equipment upgrade for the Register of Deeds.

There being no further business the meeting was adjourned.



William D. Maness, Chairman
Board



Laura B. Morton, Clerk to the